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Commissioner for Patents
P.O. Box 1450
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on January 5, 2005.

Rhonda Zaffino
Rhonda Zaffino

In Re Application of:

Davis et al.

Serial No.: 10/696,192

Filed: October 29, 2003

For: **SYSTEM AND METHOD FOR
CONTROLLING POWER DEMAND
OVER AN INTEGRATED WIRELESS
NETWORK**

Confirmation No.: 6546

Group Art Unit: 2125

Examiner: Alexander J. Kosowski

Docket No. 81607-1222

The following is a list of documents enclosed:

Return Postcard

Issue Fee Transmittal

Credit Card Authorization For PTO-2038 in the amount of \$1700.00

Comments on Statement of Reasons for Allowance

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

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Sir:

The Examiner has made some broad conclusory statements in the Statement of Reasons for Allowance, which may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to vouch the record and to ensure proper interpretation of the claims and history.

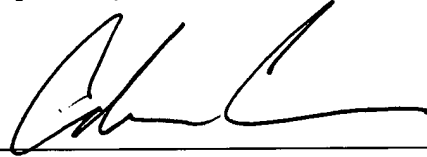
First, while Applicant agrees with the Examiner that the stated reasons for allowance of claims 1, 2, 3, 12, 18, 33, 47, 54, 61, and 63 (and indeed all claims 1-64) are ~~indeed~~ proper grounds for allowance of these claims, there are other additional reasons why these claims are allowable over the prior art of record, and Applicant does not admit that the stated reasons for allowance are the only reasons for allowance.

Second, in accordance with 35 U.S.C. Section 282: "Each claim of a patent (whether in independent, dependent, or multiple dependent form) shall be presumed valid independently of the validity of other claims; dependent or multiple dependent claims shall be presumed valid

even though dependent upon an invalid claim.” Thus, the dependent claims that were not addressed by the Examiner in the reasons for allowance should not rise or fall, when construed in terms of validity, with their respective independent claims, but instead should be construed independently of their respective independent claims.

Third, the scope and validity of each claim (whether in independent, dependent, or multiple dependent form) should be determined based upon the entire combination of elements/features/steps in each claim, as opposed to only the particular feature or features pointed out by the Examiner.

Respectfully submitted,



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Date: 5 Jan 2005

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